



January 12, 2024

**Via ECF and E-mail**

**MEMO ENDORSED**

Hon. Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

**Re: *In re Tether and Bitfinex Crypto Asset Litigation*, 19-CV-09236 (KPF) –  
Letter Motion to File Reply Memorandum of Law in Support of Motion for  
Leave to Amend and Accompanying Declaration and Exhibits Under Seal**

Dear Judge Failla,

We represent Plaintiffs in the above-referenced action. Pursuant to Rule 9 of this Court's Individual Rules of Practice in Civil Cases, we write to request permission to file Plaintiffs' Reply Memorandum of Law in Support of Plaintiffs' Motion for Leave to Amend, and the accompanying Declaration and Exhibits, under seal (collectively, the "Reply").

The Reply cites extensively Plaintiffs' Motion for Leave to File a Second Amended Complaint and Second Amended Complaint, both filed under seal (ECF Nos. 480, 480-1). Plaintiffs are meeting and conferring with the Anonymous Trader regarding redactions to Plaintiffs' Motion for Leave to File a Second Amended Complaint and the Second Amended Complaint pursuant to the Court's order, dated December 18, 2023, at ECF No. 511, and will file a public version after they reach agreement with the Anonymous Trader.

Hon. Katherine Polk Failla  
January 12, 2024

Respectfully submitted,

/s/ Andrew R. Dunlap

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*Interim Lead Counsel and Attorneys for  
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cc: All Counsel of Record (via ECF)

Application GRANTED. The Clerk of Court shall maintain docket entries 515 and 516 under seal, viewable to the Court and the parties only.

The Court appreciates the parties' update on their discussions with the Anonymous Trader regarding redactions to both documents referenced above, and will accept the redacted versions of those documents after the parties have reached agreement. Thereafter, Defendant Potter may file a redacted version of his opposition brief, filed at docket entry 503.

The Clerk of Court is directed to terminate the pending motions at docket entries 512 and 514.

Dated: January 16, 2024  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE